

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

SEP 22 2003

ROBERT H. SHAWWEL, CLERK
BY: ad DEPUTY

VOICESTREAM WIRELESS CORP.

CIVIL ACTION NO. 02-1614

versus

JUDGE MELANCON

AERIAL WAVE, L.L.C., ET AL

MAGISTRATE JUDGE HILL

MOTION FOR DISBURSEMENT OF REGISTRY FUNDS

NOW INTO COURT, through undersigned counsel, comes Voicestream Wireless Corp. ("Voicestream"), Webcomm, Inc. ("Webcomm"), Texcom Wireless, Ltd. ("Texcom") and Ricky Moreau d/b/a Moreau's Material Yard ("Moreau") who respectfully aver the following:

1.

On July 31, 2002, Voicestream initiated this matter by filing a complaint for interpleader and depositing into the registry of the court \$121,319.89 ("the stake").

2.

Multiple parties have filed claims asserting entitlement to the stake.

3.

On September 3, 2003, the Court issued an order dismissing all claims asserted against the stake with the exception of the claims asserted by the parties to this motion.

4.

The parties to this motion have agreed to a disbursement of the stake as follows:

- \$4,150 to Ricky Moreau d/b/a Moreau Material Yard;
- \$10,000 to Voicestream Wireless Corp.;

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- 50% of the balance of the stake to Texcom Wireless, Ltd.; and
- 50% of the balance of the stake to Webcomm, Inc.

5.

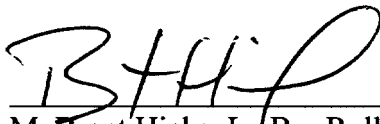
The parties respectfully request that disbursement of the funds be made as follows:

- Check be issued in the amount of \$4,150 made payable to Ricky Moreau d/b/a Moreau Material Yard and his attorney, Charles Riddle. The tax id number for Ricky Moreau is 72-1338447. The tax id number for Charles Riddle is 72-0902317. The check should be mailed to Post Office Box 608, Marksville, LA 71351.
- Check be issued in the amount of \$10,000 made payable to Voicestream Wireless Corp. The tax id number for Voicestream is 91-1983600. The check should be mailed to the attention of Robert W. Mouton, 601 Poydras Street, Suite 2400, New Orleans, LA 70130-6036.
- Check be issued for 50% of the balance of the stake and all interest accruing thereon made payable to Texcom Wireless, Ltd. through its attorney, Brent Hicks. The tax id number for Texcom is 76-0668980. The tax id number for Brent Hicks is 72-0788124. The check should be mailed to 9th Floor, One American Place, Baton Rouge, LA 70825.

- Check be issued for 50% of the balance of the stake and all interest accruing thereon made payable to Webcomm, Inc. and its attorney, Oscar W. Boswell, II. The tax id number for Webcomm is 72-1488259. The tax id number for Oscar W. Boswell, II is 72-0804002. The check should be mailed to Post Office Box 3207, Lafayette, LA 70502-3207.

WHEREFORE, Voicestream Wireless Corp., Webcomm, Inc., Texcom Wireless, Ltd. and Ricky Moreau d/b/a Moreau's Material Yard pray that the Court disburse the funds held in the registry of the court in accordance with this motion.

Respectfully submitted:



M. Brent Hicks, La Bar Roll 23778

McGLINCHEY STAFFORD, PLLC

9th Floor, One American Place

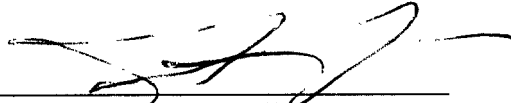
Baton Rouge, Louisiana 70825

Telephone: (225) 383-9000

Fax: (225) 343-3076

Counsel for Texcom Wireless, Ltd.

APPROVED AS TO FORM AND CONTENT

A handwritten signature in black ink, appearing to read 'R. Mouton', is written over a horizontal line.

Robert W. Mouton, La Bar Roll 19717

LOCKE, LIDDELL & SAPP

601 Poydras Street, Suite 2400

New Orleans, LA 70130-6036

Ph.: (504) 558-5113

Fax: (504) 681-5313

Counsel for Voicestream Wireless Corp.

APPROVED AS TO FORM AND CONTENT

A handwritten signature in black ink, appearing to read "Oscar W. Boswell, II", written over a horizontal line.

Oscar W. Boswell, II, La Bar Roll 3282

ATTORNEY AT LAW

Post Office Box 3207

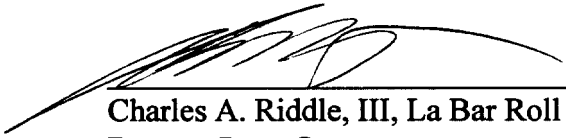
Lafayette, LA 70502-3207

Phone: (337) 237-4465

Fax: (337) 237-8556

Counsel for Webcomm, Inc.

APPROVED AS TO FORM AND CONTENT



Charles A. Riddle, III, La Bar Roll 10974

RIDDLE LAW OFFICES

Post Office Box 608

Marksville, LA 71351

Phone: (318) 253-4551

Fax: (318) 240-9000

Counsel for Ricky Moreau d/b/a

Moreau's Material Yard

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SEP 22 2003

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

VOICESTREAM WIRELESS CORP.

CIVIL ACTION NO. 02-1614

versus

JUDGE MELANCON

AERIAL WAVE, L.L.C., ET AL

MAGISTRATE JUDGE HILL

ORDER

CONSIDERING the foregoing “Motion For Disbursement of Registry Funds” and the good cause appearing therein;

IT IS ORDERED, ADJUDGED AND DECREED that the Clerk is authorized and directed to draw checks on the funds on deposit in the registry of the court in the principal amount of \$121,319.89 plus all interest earned less the assessment fee for administration of funds payable as follows:

- a. In the amount of \$4,150 made payable to Ricky Moreau d/b/a Moreau Material Yard and his attorney, Charles Riddle and mailed to Post Office Box 608, Marksville, LA 71351.
- b. In the amount of \$10,000 made payable to Voicestream Wireless Corp. and mailed to the attention of Robert W. Mouton, 601 Poydras Street, Suite 2400, New Orleans, LA 70130-6036.
- c. In the amount of 50% of the balance of the stake and all interest accruing thereon made payable to Texcom Wireless, Ltd. through its attorney, Brent Hicks and mailed to 9th Floor, One American Place, Baton Rouge, LA 70825.

- d. In the amount of 50% of the balance of the stake and al interest accruing thereon made payable to Webcomm, Inc. and its attorney, Oscar Boswell and mailed to Post Office Box 3207, Lafayette, LA 70502-3207.

THUS DONE AND SIGNED in Lafayette, Louisiana, this _____ day of

_____, 2003.

**JUDGE, United States District Court
Western District Of Louisiana**

McGLINCHEY STAFFORD PLLC

M. BRENT HICKS
(225) 382-3622
Fax (225) 343-3076
bhicks@mcglinchey.com

Order

BATON ROUGE
NEW ORLEANS
HOUSTON
JACKSON
CLEVELAND
MONROE

September 17, 2003

Honorable Catherine B. Carter
Deputy Clerk-in-Charge
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LA
800 Lafayette Street
Lafayette, LA 70501

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SEP 24 2003

Re: VoiceStream Wireless Corporation v. Aerial Wave, LLC et al.,
United States District Court, Western District (Lafayette)
Civil Action No. 02-1614
Our File No: 19930.0001

Dear Ms. Carter:

Enclosed is the original and two copies of a Motion for Disbursement of Registry Funds and Order with regard to the above captioned matter. Please file the original into the record of this matter and return a conformed copy to me in the enclosed self-addressed stamped envelope.

Thank you for your attention to this matter. Please do not hesitate to call with any questions.

Sincerely,

McGLINCHEY STAFFORD, PLLC

BTH

M. Brent Hicks

MBH/std
Enclosures

cc: Robert W. Mouton, Esq.
Oscar W. Boswell, II, Esq.
Charles A. Riddle, III, Esq.
Ben Benedum, Esq.
Mr. Dale Whittenberg